

CONDITIONAL DEVELOPMENT NOTES:

GENERAL PROVISION

G. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY LAT PURSER & ASSOCIATES, INC. ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HIGH QUALITY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 5.92 ACRE SITE LOCATED AT THE NORTHEAST INTERSECTION OF PROVIDENCE ROAD AND ALEXANDER ROAD (THE "SITE").
 b. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2(CD) ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, BUILDING AND PARKING ENVELOPES OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE

PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE
FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS.
THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS
PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO 25. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL

ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.

2. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 71 RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE UR-2(CD) ZONING DISTRICT.

ACCESS AND TRANSPORTATION.

ACCESS TO THE SITE WILL BE FROM PROVIDENCE ROAD AND ALEXANDER ROAD. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND AS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND NCDOT. THE PETITIONER WILL CONSTRUCT A 100-FOOT RIGHT-TURN DECELERATION LANE WITH APPROPRIATE TAPERS ALONG PROVIDENCE AS GENERALLY DEPICTED ON THE REZONING PLAN

d. THE DESIGN OF THE DRIVEWAY INTO THE SITE FROM PROVIDENCE ROAD WILL INCLUDE A MINIMUM OF A 50-FOOT DRIVEWAY STEM AS MEASURED FROM THE PROVIDENCE ROAD RIGHT-OF-WAY TO THE FIRST INTERNAL INTERSECTION (PRIVATE STREET OR DRIVEWAY) AS GENERALLY DEPICTED ON THE REZONING PLAN. e. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PRIVATE STREETS, AND MINOR ADJUSTMENTS TO THE LOCATION OF THESE STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS IN COORDINATION WITH COOT. PETITIONER SHALL PROVIDE INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES g. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY WHERE NECESSARY, IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE SSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. h. UNLESS STATED OTHERWISE HEREIN. THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. I. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE 50 FEET OF RIGHT-OF-WAY AS MEASURED FROM THE EXISTING CENTER LINE OF PROVIDENCE ROAD. THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG PROVIDENCE OR ALEXANDER LOCATED OUTSIDE OF THE EXISTING OR PROPOSED RIGHT—OF—WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE. THE PETITIONER WILL SONSTRUCT ALC REQUIRED ROADWAY IMPROVEMENTS AND PROVIDE ANY REQUIRED SIDEWALK AND UTILITY EASEMENTS NEEDED FOR THESE IMPROVEMENTS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY, SUBJECT TO THE PETITIONER'S ABILITY TO REQUEST THAT CDOT AND NCDOT ALLOW A BOND TO BE POST FOR ANY ROADWAY IMPROVEMENTS NOT FINALIZED AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY, AS ALLOWED BY CITY REGULATIONS.

G. ALONG PROVIDENCE ROAD THE SETBACK WILL BE THE EXISTING AND FUTURE RIGHT-OF-WAY LINE OR 30-FEET FROM THE PROPOSED BACK OF CURB WHICHEVER IS GREATER AS GENERALLY INDICATED ON THE REZONING PLAN. PORCHES AND STOOPS MAY ENCROACH UP TO SIX (6) FEET INTO THE SETBACK ALONG PROVIDENCE ROAD.

b. ALONG ALEXANDER ROAD A MINIMUM OF A 25-FOOT SETBACK FROM EXISTING BACK OF CURB WILL BE PROVIDED AS GENERALLY DEPICTED ON THE BEZONING PLAN. PORCHES AND STOOPS MAY ENCROACH UP TO SIX (6) FEET INTO THE SETBACK ALONG ALEXANDER BOAD.

c. THE PETITIONER WILL CONSTRUCT AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK ALONG PROVIDENCE ROAD AND ALEXANDER ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. A PORTION OF THE PLANTING STRIP ALONG PROVIDENCE ROAD MAY BE REDUCED DUE TO EXISTING TOPOGRAPHY AND AN EXISTING GUARDRAIL AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. A SIDEWALK CONNECTION FROM EACH JUTH THE FRENTING ON PROVIDENCE ROAD WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. A 25-FOOT BUTTON FROM EACH JUTH THE FRENTING ON PROVIDENCE ROAD.

e. A 25-FOOT REAR YARD WILL BE PROVIDED ALONG THE EASTERN PROPERTY LINE AND A 40-FOOT REAR YARD WILL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN.

f. A 25-FOOT BUTTER PLANTED TO MEET A CLASS C BUTTER PROPERTY LINE AND A 40-FOOT REAR YARD WILL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN.

f. A 25-FOOT BUTTER PLANTED TO MEET A CLASS C BUTTER MAY VARY TO SAVE EXISTING VEGETATION BUT WILL GENERALLY BE LOCATED AT OR NEAR THE PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN.

f. A 25-FOOT BUTTER PLANTED TO MEET A CLASS C BUTTER MAY VARY TO SAVE EXISTING VEGETATION BUT WILL GENERALLY BE LOCATED AT OR NEAR THE PROPERTY LINE, EXCEPT THAT ALONG THE EASTERN PROPERTY LINE WHERE THE PROPOSED FENCE WILL BE LOCATED NO MORE THAN HALF-WAY THROUGH THE BUTTER AS GENERALLY DEPICTED ON THE REZONING PLAN. IF A FENCE IS NOT PROVIDED THE WIDTH OF THE BUTTER WILL BE INCREASED TO 34 FEET HALD

a. To provide privacy, all residential entrances within 15 feet of the sidewalk along providence and alexander road must be raised from the average sidewalk grade a minimum of 24 inches. This standard will not apply to units that due to existing topography are located beliow the existing grade of providence road.

b. Piched Roofs if provided, shall be symmetrically stoped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.

c. Usable porches and/or stoops shall form a predominant feature of the building design and be located on the front and/or side of the building when possible. Usable front porches, when provided, should be covered and be at least 6 feet deep. Stoops and entry level porches may be covered but should not be enclosed. Porches and stoops fronting on the interior private streets and parking areas will be located behind the sidewalk. Units with frontage only on the internal parking areas or private drives are not required to provide a porch or a stoop.

d. For units that have frontage on providence road or alexander road and that are also provided with a direct sidewalk connection to providence or alexander road a porch or stoop will be located on the building elevation facing providence or alexander road.

e. Corner/end units fronting public streets shall have enhanced side elevations with a front or rear stoop and/or porch or otherwise provide windows or other architectural details to limit the maximum blank wall expanse to ten (10) feet on each level of the unit. If a porch is utilized, it may be located on the second story of such unit.

f. Garage doors visible from public or private streets should minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane and additional architectural treatments such as translucent windows or projecting elements over the garage door opening.

g. Walkways should be provided to connect all residential entrances to sidewalks along publ

h. THE BUILDINGS FRONTING PUBLIC OR PRIVATE NETWORK REQUIRED STREETS SHOULD BE LIMITED TO 5 INDIVIDUAL UNITS OR FEWER. THE NUMBER OF INDIVIDUAL UNITS PER BUILDING SHOULD BE VARIED IN ADJACENT BUILDINGS IF MULTIPLE 5—UNIT BUILDINGS ARE ADJACENT.

I. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS SHALL BE COMPRISED OF A COMBINATION OF PORTIONS OF BRICK, BRICK VENEER, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO, CEMENTITIOUS SIDING, FIBER CEMENT ('HARDIPLANK'') AND/OR OTHER MATERIALS APPROVED BY THE PLANNING DIRECTOR.

J. PROHIBITED EXTERIOR BUILDING MATERIALS: (I) VINYL SIDING AND (II) CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED. VINYL AND ALUMINUM MAY BE USED ON; HANDRAILS, WINDOWS, SOFFITS, DOORS, GARAGE DOORS, RAILINGS, OR TRIM.

K. ROOF OVERHANGS, EAVES, CORNICES, CHIMNEYS, GUTTERS, VENTS, BAY WINDOWS, PILASTERS, PILLARS, OPEN PORCHES (IF PROVIDED), AND OTHER ARCHITECTURAL ELEMENTS MAY PROJECT UP TO TWENTY—FOUR (24) INCHES INTO THE REQUIRED SETBACKS.

6. ENVIRONMENTAL FEATURES:

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. FOR ADJOINING PARCELS RECEIVING STORM WATER DISCHARGE THE PETITIONER SHALL ANALYZE THE ADEQUACY OF THE EXISTING STORM WATER CONVEYANCE ON THE ADJOINING PARCELS TO AND INCLUDING PROVIDENCE ROAD. IF THE EXISTING STORM WATER CONVEYANCE IS FOND TO BE INADEQUATE, THE PETITIONER SHALL MAKE A GOOD FAITH EFFORT WITH THE PROPERTY OWNER(S) TO IMPROVE THE STORM WATER CONVEYANCE OR MITIGATE THE STORM WATER DISCHARGE ONTO THE ADJOINING PARCELS.

c. THE EXISTING POND LOCATED ON THE SITE WILL BE PRESERVED AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE. THE FINAL LOCATION OF THE REQUIRED TREE SAVE AREAS WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. TREE SAVE AREAS WILL COMPLY WITH THE REQUIREMENTS OF THE TREE ORDINANCE.

7. LIGHTING:

a. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 21' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING )SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.

b. THE PETITIONER WILL WORK WITH CDOT AND NCDOT TO PROVIDE PEDESTRIAN SCALE LIGHTING FIXTURES ALONG THE SITE'S PROVIDENCE ROAD AND ALEXANDER ROAD FRONTAGES. THE LOCATION AND NUMBER WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE.

8. CATS:

a. THE PETITIONER SHALL PROVIDE AN ADA COMPLIANT BUS PASSENGER WAITING PAD ON PROVIDENCE ROAD SUBJECT TO CATS APPROVAL. THE EXACT LOCATION SHALL BE DETERMINED DURING THE CITY'S LAND DEVELOPMENT PERMITTING PROCESS AND WILL BE REVIEWED AND COORDINATED WITH NCDOT. THE LOCATION OF THE BUS PASSENGER WAITING PAD WILL ALLOW FOR A CONNECTED TO THE PROPOSED SIDEWALK ALONG PROVIDENCE ROAD TO PROVIDE A SAFE PEDESTRIAN ACCESS TO THE INTERSECTION OF PROVIDENCE AND ALEXANDER ROAD.

9. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

10. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

